

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

ORBIN ZALDIVAR,

*Plaintiff,*

– against –

JANL, INC., d/b/a Sergio's Pizzeria &  
Restaurant, SERGIO OLIVERO,  
SEVERINA OLIVERO, and LUCIANO  
OLIVERO, a/k/a Louis Olivero,

*Defendants.*

**ORDER**

23-cv-01434 (NCM) (LGD)

**NATASHA C. MERLE**, United States District Judge:

This Court has received the Report and Recommendation on the instant case dated September 24, 2024, from the Honorable Lee G. Dunst, United States Magistrate Judge.

On September 26, 2024, plaintiff filed a motion for reconsideration on the report and recommendation. ECF No. 29. The Magistrate Judge subsequently denied the motion, noting that plaintiff concedes procedural noncompliance and falls “short of the high standard to warrant reconsideration.” ECF Order dated Sep. 27, 2024.

However, no party ultimately filed objections to the proposed findings and recommendations. Fed. R. Civ. P. 72(b)(2). The Court reviews “de novo any part of the magistrate judge’s disposition that has been properly objected to.” Fed. R. Civ. P. 72(b)(3). Where, as here, no timely objections have been filed, “the district court need only satisfy itself that there is no clear error on the face of the record.” *Estate of Ellington ex rel. Ellington v. Harbrew Imports Ltd.*, 812 F. Supp. 2d 186, 189 (E.D.N.Y. 2011) (internal citations omitted).

Having reviewed the record, the Court finds no clear error and therefore adopts the Report and Recommendation, in its entirety, as the opinion of the Court pursuant to 28 U.S.C. § 636(b)(1).

Accordingly, plaintiff's motion for default judgment against defendants JANL, Inc. and Sergio Olivero is **DENIED** without prejudice.

**SO ORDERED.**

/s/ Natasha C. Merle  
NATASHA C. MERLE  
United States District Judge

Dated: November 13, 2024  
Brooklyn, New York